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## **News Release**

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### **4 indicted with conspiring to prevent federal judge from performing her duties**

Four Twin Cities residents were charged yesterday in federal court with attempting to prevent a United States District Court Judge from performing her duties.

Those indicted July 14 in Minneapolis with one count of conspiracy to impede an officer, and one count of obstruction of justice are: Robert Bonine Beale, 65, North Oaks; Frederick Ogan Bond, 62, Champlin; John Howard Pelton, 67, Stillwater; and Norman William Pool, 43, Blaine. Their indictment alleges that from before March 2008 to April 21, 2008, they knowingly and intentionally conspired to prevent by force, intimidation and threat a federal judge from presiding over a criminal trial.

The judge was U.S. District Court Judge Ann Montgomery, who presided over the jury trial of Beale in April. Beale was found guilty of one count of felony conspiracy to defraud the United States, five counts of tax evasion for failing to pay any personal income tax on more than \$5.1 million in income and one count of failing to appear in federal court.

The purpose of the conspiracy, the indictment states, was to prevent Judge Montgomery from holding the trial. The manner and means by which the defendants sought to accomplish the conspiracy included holding meetings of the defendants' self-described "common law court;" filing false and fraudulent liens; delivering purported "arrest warrants" to members of law enforcement in an effort to have Judge Montgomery arrested; planning the arrest of Judge Montgomery; and planning the disruption of court proceedings.

Specifically, on March 24 "warrants for arrest" were drafted commanding the U.S. Provost Marshal and any authorized U.S. officer to arrest Judge Montgomery and others. These "warrants" were signed by Pelton and Pool, on behalf of the common law court.

According to a Federal Bureau of Investigation affidavit, Beale is the leader of a "common law court." This group allegedly believes that there is only one judge who has exclusive jurisdiction over people – Jesus Christ. The group continued to support Beale during his arrest

and subsequent prosecution.

Beale had been contacting the group via a jail telephone and made threatening communications against Judge Montgomery. During an April 3 phone call Beale made to another person, he said, "God wants me to destroy the judge. That judge is evil. He wants me to get rid of her." During a second conversation, Beale said, "God wants me to take the judge out, that's what he wants me to do."

During another phone call on April 3, Beale discussed an upcoming meeting by the common-law group with Pelton and the group's arrest warrants. Pelton states that the group is planning to have 30-40 people attend Beale's trial, and arrest Judge Montgomery if she does not dismiss the charges against Beale and release him from custody.

On April 10, Bond presented a subpoena to the Hennepin County Sheriff's Office addressed to Judge Montgomery, commanding that she appear before the common-law group at its April 15 meeting in Little Canada.

On April 16, Beale called Bond, stating that he wanted Judge Montgomery "to be intimidated," and Beale also called Pelton telling the group to "get as many people as you can in the courtroom."

If convicted, each of the four defendants face a potential maximum penalty of six years in prison on the conspiracy to impede count and 10 years on the obstruction count. All sentences are determined by a federal district court judge. This case is the result of an investigation by the FBI, the Sherburne County Jail, and the sheriff's offices of Hennepin and Sherburne county. The case is being prosecuted by Assistant U.S. Attorney W. Anders Folk.

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An indictment is a determination by a grand jury that there is probable cause to believe that offenses have been committed by the defendant. The defendant, of course, is presumed innocent until he or she pleads guilty or is proven guilty at trial.